



NORTH TEXAS MUNICIPAL WATER DISTRICT

**501 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax**

BOARD OF DIRECTORS
REGULAR MEETING
THURSDAY, AUGUST 24, 2017
4:00 P.M.

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of North Texas Municipal Water District will hold a regular meeting, open to the public, on Thursday, August 24, 2017, at 4:00 p.m., at the NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas.

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); or discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

AGENDA¹

- I. CALL TO ORDER
- II. INVOCATION – DIRECTOR PHIL DYER
- III. PLEDGE OF ALLEGIANCE
- IV. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
- V. ANNOUNCEMENT OF QUORUM
- VI. ADMINISTER OATH OF OFFICE
- VII. PUBLIC COMMENTS

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must complete and submit a “Public Comment Registration Form.” The time limit is five (5) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. The Board may not discuss these items, but may respond with factual or policy information.

¹Persons with disabilities who plan to attend the NTMWD Board of Directors meeting and who may need auxiliary aids or services are requested to contact John Montgomery in the NTMWD Administrative Offices at (972) 442-5405 as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

VIII. OPENING REMARKS

- A. Presentations of awards, recognitions, achievements, etc., of the District, Board members, and staff
- B. President's Remarks concerning current events, conduct of meeting, posted agenda items, committee assignments, and related matters
- C. Executive Director's Status Report concerning legislation and regulatory matters, budgets, current projects and ongoing programs of the District including the Regional Water System, Regional Wastewater System, Regional Solid Waste System, Watershed Protection, and Water Conservation

IX. CONSENT AGENDA ITEMS

The Consent Agenda allows the Board of Directors to approve all routine, noncontroversial items with a single motion, without the need for discussion by the entire Board. Any item may be removed from consent and considered individually upon request of a Board member or NTMWD staff member.

- A. Consider Approval of Board of Directors Regular Meeting Minutes – July 27, 2017
(Please refer to Consent Agenda Item No. 17-08-01)
- B. Consider Approval of Board of Directors Special Meeting Minutes – July 27, 2017
(Please refer to Consent Agenda Item No. 17-08-02)
- C. Consider Approval of Monthly Construction Report – July 2017
(Please refer to Consent Agenda Item No. 17-08-03)
- D. Consider Adoption of Resolution No. 17-29 Conveying Property at Wilson Creek Wastewater Treatment Plant to Oncor Electric Delivery Company and Authorizing Execution of Permanent Easement, Project No. 301-0451-17, Wilson Creek Regional Wastewater Treatment Plant, Second Oncor Overhead Electric Power Transmission Line
(Please refer to Consent Agenda Item No. 17-08-04)
- E. Consider Authorizing Additional Engineering Services on Project No. 101-0367-14, Wylie Water Treatment Plants I and II, Sludge Handling Improvements
(Please refer to Consent Agenda Item No. 17-08-05)
- F. Consider Authorizing Execution of Contract Amendment No. 12 to the Interlocal Agreement by and between Collin County, Texas, and North Texas Municipal Water District for Participation in the County Cleanup Day Program at the 121 Regional Disposal Facility
(Please refer to Consent Agenda Item No. 17-08-06)
- G. Consider Authorizing Change Order No. 13 on Project No. 101-0354-14, Wylie Water Treatment Plant Chemical Systems Improvements, Phase 1B
(Please refer to Consent Agenda Item No. 17-08-07)

- H. Consider Authorizing Change Order No. 7 on Project No. 101-0354-14, Chemical Systems Improvements, Phase 2
(Please refer to Consent Agenda Item No. 17-08-08)
 - I. Consider Authorizing Change Order No. 2 and Issuance of Final Payment on Project No. 501-0345-13, North McKinney Interceptor Improvements, Phase I
(Please refer to Consent Agenda Item No. 17-08-09)
 - J. Consider Authorizing Change Order No. 1 on Project No. 101-0444-16, Wylie Water Treatment Plant I, Clearwell Repairs and Miscellaneous Improvements
(Please refer to Consent Agenda Item No. 17-08-10)
 - K. Consider Authorizing Additional Engineering Services on Project No. 101-0297-12, Water System Maintenance Facilities, South Region, Phase I
(Please refer to Consent Agenda Item No. 17-08-11)
- X. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION
- A. Consider Authorizing Action as to the Following Litigation/Administrative Proceedings:
 - i. *Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 46662 before the Public Utility Commission of Texas;
 - ii. *Ex Parte, North Texas Municipal Water District*, Cause No. D-1-GN-17-000861 in the District Court for the 98th Judicial District, Travis County, Texas;
 - iii. *Ex Parte North Texas Municipal Water District*, Cause No. 429-02972-2017 in the District Court for the 429th Judicial District, Collin County, Texas; and
 - iv. *North Texas Municipal Water District v. Public Utility Commission of Texas*, Cause No. D-1-GN-17-000877 in the District Court for the 419th Judicial District, Travis County, Texas.
(Please refer to Board Memorandum)
 - B. Consider Authorizing Additional Funding for Response to Petition Appealing Wholesale Water Rates Filed by Cities of Garland, Mesquite, Plano, and Richardson before the Public Utility Commission of Texas
(Please refer to Administrative Memorandum No. 4951)
 - C. Consider Authorizing Additional Funding for Pursuit of Legal Remedies and Other Legal Actions Related to Petition Appealing Wholesale Water Rates Filed by the Cities of Garland, Mesquite, Plano, and Richardson Before the Public Utility Commission of Texas
(Please refer to Administrative Memorandum No. 4952)

- D. Consider Adoption of Resolution No. 17-31 Authorizing Execution of Financing Agreements for Funding Lower Bois d'Arc Creek Reservoir and Treatment and Treated Water Distribution Systems and Authorizing Termination of Financing Agreements in Event NTMWD Unable to Issue Debt
(Please refer to Administrative Memorandum No. 4953)
- E. Consider Authorizing Abolishment of District Policy No. 1 – District Policy, District Policy No. 2 – Executive Director, District Policy No. 5 – Board of Directors Rules of Procedure, District Policy No. 6 – District Objective, District Policy No. 11-A-2 – Education and Development Policy, District Policy No. 15 – Board of Directors Committee Policy, District Policy No. 17 – Standards of Conduct, District Policy No. 40 – Board Agenda Policy, District Policy No. 41 – Indemnification Policy, District Policy No. 43 – NTMWD Board of Directors/Staff Communication Policy; and Adoption of the NTMWD Board Policies Manual
(Please refer to Administrative Memorandum No. 4954)
- F. Consider Authorizing Execution of Engineering Services Agreement on Project No. 101-0479-17, Wylie Water Treatment Plants II and III Clearwells 2-3, 2-4, and 3-1 Improvements
(Please refer to Administrative Memorandum No. 4955)
- G. Consider Authorizing Designation of North McKinney Pipeline, Phase III, as a Major Pipeline System per District Policy No. 8
(Please refer to Administrative Memorandum No. 4956)
- H. Consider Authorizing Award of Construction Contract on Project No. 101-0338-13, Meter Vault Standardization, Phase II, Set-Point Control
(Please refer to Administrative Memorandum No. 4957)
- I. Consider Authorizing Pre-Purchase of Equipment on Project No. 101-0469-17, 72-Inch Texoma Pipeline Improvements
(Please refer to Administrative Memorandum No. 4958)
- J. Consider Adoption of Resolution No. 17-32 Authorizing Use of Competitive Sealed Proposal Procurement Method under Texas Government Code, Chapter 2269, for 72-Inch Texoma Pipeline Improvements, Project No. 101-0469-17
(Please refer to Administrative Memorandum No. 4959)
- K. Consider Authorizing Change Order No. 1 on Project No. 101-0407-15, McKinney No. 1 to Princeton No. 1, 30-Inch and 24-Inch Pipeline
(Please refer to Administrative Memorandum No. 4960)
- L. Consider Authorizing Execution of Engineering Services Agreement on Project No. 101-0324-13, Wallace Street Site Improvements and Ground Storage Tank
(Please refer to Administrative Memorandum No. 4961)

- M. Consider Authorizing Execution of Inspection Services Agreement on Project No. 101-0414-16, High Service Pump Station 2-1, 2016 Electrical Improvements, Phase I
(Please refer to Administrative Memorandum No. 4962)
- N. Consider Authorizing Change Order No. 5 and Ratification of Actions by the Executive Director on Project No. 101-0410-15, Rockwall No. 1 Delivery Point Improvements
(Please refer to Administrative Memorandum No. 4963)
- O. Consider Authorizing Execution of Engineering Services Agreement on Project No. 101-0480-17, High Service Pump Station 3-1 Improvements
(Please refer to Administrative Memorandum No. 4964)
- P. Consider Authorizing Change Order No. 2 on Project No. 101-0365-14, System Wide Air Valve Improvements on Wylie to Garland 42-Inch Pipeline
(Please refer to Administrative Memorandum No. 4965)
- Q. Consider Authorizing Amendment No. 3 to Construction Manager At-Risk Agreement, Project No. 101-0383-15, Lower Bois d'Arc Creek Reservoir FM 897 Relocation from US 82 to FM 1396; Project No. 101-0435-16, Lower Bois d'Arc Creek Reservoir Fannin County Road and Bridge Improvements; and Project No. 101-0436-16, Lower Bois d'Arc Creek Reservoir Boat Ramps
(Please refer to Administrative Memorandum No. 4966)
- R. Consider Authorizing Execution of Engineering Services Agreement on Project No. 101-0344-13, Lower Bois d'Arc Creek Reservoir Dam and Intake Structure
(Please refer to Administrative Memorandum No. 4967)
- S. Consider Authorizing Adoption of Resolution No. 17-30 Authorizing Execution of Advanced Funding Agreement with the Texas Department of Transportation for FM 897 Relocation from US 82 to FM 1396, Project No. 101-0383-15
(Please refer to Administrative Memorandum No. 4968)
- T. Consider Authorizing Additional Engineering Services on Project No. 101-0435-16, Fannin County Road and Bridge Improvements
(Please refer to Administrative Memorandum No. 4969)
- U. Consider Authorizing Additional Archaeological Services on Project No 101-0378-15, Lower Bois d'Arc Creek Reservoir Mitigation Property Archaeological Survey, Wetlands Reserve Program
(Please refer to Administrative Memorandum No. 4970)
- V. Consider Authorizing Execution of Legal Services Agreement for Utility Conflicts, Project No. 101-0374-14, Lower Bois d'Arc Creek Reservoir Program Management
(Please refer to Administrative Memorandum No. 4971)

- W. Consider Authorizing Additional Engineering Services on Project No. 101-0192-09, Lower Bois d'Arc Creek Reservoir Environmental Impact Statement
(Please refer to Administrative Memorandum No. 4972)
- X. Consider Authorizing Execution of Legal Services Agreement on Project No. 101-0384-15, Leonard Water Treatment Plant
(Please refer to Administrative Memorandum No. 4973)
- Y. Consider Authorizing Award of Construction Contract on Project No. 501-0381-15, Lower White Rock Creek Lift Station Improvements and Project No. 501-0391-15, Preston Road Lift Station Improvements
(Please refer to Administrative Memorandum No. 4974)
- Z. Consider Authorizing Additional Engineering Services on Project No. 301-0437-16, Wilson Creek Regional Wastewater Treatment Plant Expansion to 64 MGD
(Please refer to Administrative Memorandum No. 4975)
- AA. Consider Authorizing Additional Preconstruction Phase Services to Construction Manager At-Risk Agreement on Project No. 301-0437-16, Wilson Creek Regional Wastewater Treatment Plant Expansion to 64 MGD
(Please refer to Administrative Memorandum No. 4976)
- BB. Consider Authorizing Execution of Inspection Services Agreement on Project No. 301-0328-13, Rowlett Creek Regional Wastewater Treatment Plant Peak Flow Management Improvements, Phase 1
(Please refer to Administrative Memorandum No. 4977)
- CC. Consider Authorizing Change Order No. 11 and Authorizing Invoicing the City of Frisco for Additional Funding on Project No. 309-0252-11, Stewart Creek West Wastewater Treatment Plant Expansion to 10 MGD
(Please refer to Administrative Memorandum No. 4978)
- DD. Consider Authorizing Execution of Engineering Services Agreement on Project No. 509-0455-17, Forney Mustang Creek Lift Station, Phase I
(Please refer to Administrative Memorandum No. 4979)
- EE. Consider Authorizing Additional Engineering Services on Project No. 401-0465-17, Custer Road Transfer Station Compost Office
(Please refer to Administrative Memorandum No. 4980)
- FF. Consider Authorizing Change Order No. 10 on Project No. 401-0372-14, Lookout Drive Transfer Station Facility Expansion
(Please refer to Administrative Memorandum No. 4981)
- GG. Consider Authorizing Execution of Amended and Restated Potable Water Supply Contract with Forney Lake Water Supply Corporation
(Please refer to Administrative Memorandum No. 4982)

- HH. Consider Authorizing Transfer of Portion of Forney Lake Water Supply Corporation's Annual Minimum to the City of Rockwall and Approving Amended Wholesale Water Contract between City of Rockwall and City of Heath
(Please refer to Administrative Memorandum No. 4983)

XI. DISCUSSION ITEMS

- A. Review 2017-2018 Annual All Systems Budget
- B. Review of 2016-2017 Possible Water System Rebates
- C. Review 2017-2018 Compensation for Executive Director/General Manager and Deputy Directors
- D. Update on Litigation Involving North Texas Municipal Water District/Advice from Legal Counsel, including:
 - 1. Potential Lawsuit with Hooshang Kordy, et al. v. North Texas Municipal Water District, et al.
- E. Opportunity for Board Members to Request Potential Future Agenda Items
(No substantive discussion of items will take place at this time)

XII. ADJOURNMENT